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Attorney for Plaintiff
ORVILLE MEAUX

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ORVILLE MEAUX,

Plaintiff,

v.

NORTHWEST AIRLINES, INC., a Delaware
Corporation, PROFESSIONAL FLIGHT
ATTENDANTS ASSOCIATION, a labor
organization, TRANSPORT WORKERS
UNION, a labor organization, ASSOCIATION
OF FLIGHT ATTENDANTS-
COMMUNICATIONS WORKERS OF
AMERICA, a labor organization, and DOES 1
to 20, inclusive,

Defendants.

Case No. C 04-04444 CW

(Consolidated with
Case No. C09-02447 CW)

STIPULATED DISMISSAL
WITH PREJUDICE AS TO
PLAINTIFF'S REMAINING
CLAIMS AGAINST
DEFENDANT NORTHWEST
and
~~(Proposed)~~ ORDER

WHEREAS, on or about November 10, 2009, Defendant Northwest Airlines, Inc. filed a motion for summary judgment as to Plaintiff's claims against Northwest for discrimination and retaliation with respect to a Level 1 Reminder and Plaintiff's termination, his harassment claim under FEHA and Title VII, and his claim for discrimination as to the issuance of a Level I Reminder and punitive damages;

WHEREAS, on or about December 3, 2009, Plaintiff Orville Meaux filed opposition to

1 Defendant Northwest's motion to which Defendant Northwest filed a reply on December 17,
2 2009;

3 WHEREAS, on or about February 18, 2010, the Court entered an Order granting
4 Defendant's motion for summary judgment in part and denying it in part. Summary judgment
5 was granted as to Plaintiff's claims for discrimination and retaliation relating to his termination
6 by Northwest. Summary judgment was also granted as to Plaintiff's harassment claim under
7 FEHA and Title VII. Summary judgment was also granted as to Plaintiff's retaliation claim
8 relating to the issuance of the Level I Reminder. Plaintiff's remaining pending claim against
9 Defendant Northwest, as to which the Court denied Defendant's motion for summary judgment,
10 is his discrimination claim relating to the issuance of a Level 1 Reminder;

11 WHEREAS, Plaintiff now seeks to voluntarily dismiss his remaining pending claim
12 against Defendant Northwest as to which the summary judgment was denied;

13 WHEREAS, Plaintiff's hybrid action [U.S.D.C. Case No. C09-02447 CW] for wrongful
14 termination of employment and breach of the duty of fair representation was earlier dismissed by
15 the Court's Order as to Defendant Northwest on Defendant Northwest's motion under Rule 12(b)
16 and consolidated with this action;

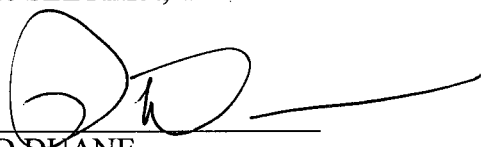
17 WHEREAS, Plaintiff's voluntary dismissal with prejudice of the remaining pending
18 claim against Defendant Northwest does not preclude his right to pursue an appeal on the Court's
19 ruling granting Northwest's motion for summary judgment in part. Plaintiff specifically
20 preserves his right to appeal from the Court's Order granting Defendant Northwest's motion for
21 summary judgment;

22 WHEREAS, Plaintiff's voluntary dismissal with prejudice does not preclude Plaintiff's
23 right to pursue his appeal of the Court's Order granting Defendant Northwest's 12(b) motion and
24 dismissing the hybrid action which was consolidated with this action. Plaintiff specifically
25 preserves his right to continue to pursue his appeal [U.S.C.A. Docket No. 09-17560] from the
26 Court's Order dismissing the hybrid action;

THE PARTIES HEREBY STIPULATE that Plaintiff's remaining pending claim against Defendant Northwest Airlines, specifically Plaintiff's claim for discrimination relating to the issuance of a Level I Reminder, is dismissed with prejudice.

DUANE & SELTZER, LLP

Dated: February __, 2010

/s/ 
RICHARD DUANE
Attorneys for Plaintiff
ORVILLE MEAUX

Dated: February __, 2010

OGLETREE, DEAKINS et al.

/s/ _____
LINDA S. GOLDMAN
Attorneys for Defendant
NORTHWEST AIRLINES, INC.

Dated: February __, 2010

ALTSHULER BERZON, LLP

/s/ _____
JONATHAN D. WEISSGLASS
Attorneys for Defendant
TRANSPORT WORKERS UNION

Dated: February __, 2010

WEINBERG, ROGER & ROSEFELD, APC

/s/ _____
ANTONIO RUIZ
Attorneys for Defendant
ASSOCIATION OF FLIGHT ATTENDANTS -
COMMUNICATIONS WORKERS OF
AMERICA, AFL-CIO

1 THE PARTIES HEREBY STIPULATE that Plaintiff's remaining pending claim against
2 Defendant Northwest Airlines, specifically Plaintiff's claim for discrimination relating to the
3 issuance of a Level I Reminder, is dismissed with prejudice.

4
5 DUANE & SELTZER, LLP

6
7 Dated: February __, 2010

8 /s/ [Signature]
9 RICHARD DUANE
10 Attorneys for Plaintiff
11 ORVILLE MEAUX

12
13 Dated: February 24, 2010

14 OGLETREE, DEAKINS et al.

15 /s/ Linda S. Goldman
16 LINDA S. GOLDMAN
17 Attorneys for Defendant
18 NORTHWEST AIRLINES, INC.

19
20 Dated: February __, 2010

21 ALTSHULER BERZON, LLP

22 /s/
23 JONATHAN D. WEISSGLASS
24 Attorneys for Defendant
25 TRANSPORT WORKERS UNION

26
27 Dated: February __, 2010

28 WEINBERG, ROGER & ROSEFELD, APC

/s/
ANTONIO RUIZ
Attorneys for Defendant
ASSOCIATION OF FLIGHT ATTENDANTS -
COMMUNICATIONS WORKERS OF
AMERICA, AFL-CIO

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Case No. C 04-04444 CW
STIPULATED DISMISSAL WITH PREJUDICE

1 THE PARTIES HEREBY STIPULATE that Plaintiff's remaining pending claim against
2 Defendant Northwest Airlines, specifically Plaintiff's claim for discrimination relating to the
3 issuance of a Level I Reminder, is dismissed with prejudice.

4
5 DUANE & SELTZER, LLP

6
7 Dated: February __, 2010

8 /s/
9 RICHARD DUANE
10 Attorneys for Plaintiff
11 ORVILLE MEAUX

12
13 Dated: February __, 2010

14 OGLETREE, DEAKINS et al.

15
16 Dated: February 24, 2010

17 /s/
18 LINDA S. GOLDMAN
19 Attorneys for Defendant
20 NORTHWEST AIRLINES, INC.

21 Dated: February __, 2010

22 ALTSCHULER BERZON, LLP
23 /s/
24 JONATHAN D. WEISSGLASS
25 Attorneys for Defendant
26 TRANSPORT WORKERS UNION

27 Dated: February __, 2010

28 WEINBERG, ROGER & ROSEFELD, APC

29 /s/
30 ANTONIO RUIZ
31 Attorneys for Defendant
32 ASSOCIATION OF FLIGHT ATTENDANTS -
33 COMMUNICATIONS WORKERS OF
34 AMERICA, AFL-CIO

1 DUANE & SELTZER, LLP

2
3 Dated: February __, 2010

4 RICHARD DUANE
5 Attorneys for Plaintiff
6 ORVILLE MEAUX

7 Dated: February __, 2010

8 OGLETREE, DEAKINS et al.

9 LINDA S. GOLDMAN
10 Attorneys for Defendant
11 NORTHWEST AIRLINES, INC.


12 Dated: February __, 2010

13 ALTSHULER BERZON, LLP

14 JONATHAN D. WEISSGLASS
15 Attorneys for Defendant
16 TRANSPORT WORKERS UNION

17 Dated: February __, 2010

18 WEINBERG, ROGER & ROSEFELD, APC

19 
20 ANTONIO RUIZ
21 Attorneys for Defendant
22 ASSOCIATION OF FLIGHT ATTENDANTS -
23 COMMUNICATIONS WORKERS OF
24 AMERICA, AFL-CIO

25 **ORDER**

26 IT IS SO ORDERED that the parties through their designated counsel, have agreed to
27 dismiss with prejudice, Defendants Transport Workers Union and Association of Flight
28

ORDER

IT IS SO ORDERED that the parties through their designated counsel, have agreed to dismiss with prejudice, Plaintiff's remaining claim against Defendant Northwest as to which the Court denied summary judgment, specifically, Plaintiff's claim for discrimination relating to the Level I Reminder, pursuant to F.R.C.P. Rule 41(a)(2). There are no remaining claims against Northwest in this action.

Dated: 3/2/10

By: 
Hon. Claudia Wilken